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DEPT OF JUSTICE FOR DAAG/CRM SWARTZ

E.O. 12958: DECL: 02/28/2028
TAGS: [PTER](#) [PREL](#) [PGOV](#) [EU](#) [TU](#)
SUBJECT: TURKEY WELCOMES U.S. EFFORTS AGAINST PKK, WANTS
MORE EUROPEAN ACTION

REF: ANKARA 394

Classified By: Acting Deputy Chief of Mission Kim DeBlauw.
Reasons: 1.4 (B)(D).

11. (C) Summary. European officials are starting to treat the PKK as both a terrorist organization and an organized crime operation that poses a danger to Europe, S/CT PDAS Urbancic told a February 12 interagency meeting of Turkish officials lead by MFA Security Affairs Director General Hayati Guven. Urbancic urged greater cooperation between Turkish and European prosecutors and other legal officials and welcomed a late-March roundtable on extradition facilitated by Embassy RLA. Guven acknowledged greater awareness of the PKK threat among European working-level officials, but complained they often failed to receive proper instructions from political authorities. He denied Turkey has an "image problem" in Europe, arguing that Europeans have a "mentality problem," and expressed skepticism about several recent European CT initiatives. On the PKK in Iraq, Guven thanked Urbancic for recent USG CT cooperation, and called for more decisive actions from Iraqi authorities against the PKK. Urbancic shared information obtained from AQI on foreign fighters transiting Turkey and sought GOT cooperation to stop them. Guven agreed to look for opportunities to strengthen cooperation. We must maintain the momentum we've gained by continuing to facilitate communication between Turkey and the Europeans through frequent contact and events like the upcoming roundtable on extradition. End summary.

Treating PKK as BOTH TERRORIST AND ORGANIZED CRIME OUTFIT

12. (C) Following meetings in Copenhagen, Berlin and Brussels on the PKK in Europe, an interagency team led by S/CT PDAS Frank Urbancic held a series of meetings in Ankara. On February 12 Urbancic and team briefed an interagency group head by MFA Director General for Security Affairs Hayati Guven (other meetings reported reftel). The Turkish group included officials from the MFA, MOJ, MOI, Turkish General Staff J3, law enforcement, and the intelligence community. Urbancic was joined by Embassy Ankara Resident Legal Advisor (RLA) Suzanne Hayden, Treasurer official Chris Burdick (currently seconded to EUCOM), S/CT Officer Kurt Hallberg and EUR/SE Turkey desk officer Danielle Garbe.

13. (C) Urbancic noted a growing European understanding that the PKK represents a danger to Europe as well as Turkey. PKK's image as a group of freedom fighters is evolving into a more accurate picture of PKK as a terrorist organization and a criminal operation, particularly among working-level officials. While Denmark is unlikely to shut down PKK-sponsored ROJ-TV as a terrorist front, the Danes were receptive to using criminal charges like money laundering or copyright law violations to close the station, Urbancic said. Both Danish and German officials were trying to stem the flow of PKK money from Europe to northern Iraq by closely monitoring direct flights into Northern Iraq used by cash couriers.

IMPROVED COOPERATION NEEDED FOR SUCCESSFUL PROSECUTIONS

14. (C) Turkey and the EU states need to improve cooperation on evidence sharing, Urbancic told the group. According to European officials, the evidence provided by Turkey often is not useable in European courts. They also complained the GOT is not responsive to their requests, citing a 6-month old Danish request for information about Turks named on ROJ-TV as "traitors to the cause." If Turkey could supply evidence that the named individuals had been harmed, Denmark could look at prosecuting ROJ-TV. Guven professed no knowledge of the Danish request and said Danish counterparts had not raised the issue at a recent working group meeting.

15. (C) Urbancic commended the Turkish MOJ's initiative, together with Embassy RLA, to organize a roundtable of Turkish and European prosecutors in late March to discuss extradition and to clarify what is needed for successful presentation in European courts. The long-term goal is to convince Europeans that since extraditions have successfully

taken place, only ignorance or political factors prevent more extraditions. The USG wants to help facilitate better communication between Turkish and European prosecutors and extradition experts, he stressed.

16. (C) The new EU Counter-Terrorism Coordinator Gilles de Kerchove seemed ready to tighten loopholes in European legal systems exploited by the PKK, Urbancic observed. De Kerchove has a stake in coordinating a common terrorism policy. In particular, de Kerchove hopes to harmonize European asylum laws and bolster the authority of the EU's terrorist designation list.

17. (C) The Belgian prosecutor was both "contrite, angry and dejected" about the recent acquittal of People's Revolutionary Liberation Party/Front (DHKP-C) members, Urbancic reported, and had insisted the case would not end there. He said he would pursue the case under Belgium's new terrorism law. The Belgians had also acknowledged that several past cases had been mishandled and not pursued. The Belgians were now considering reopening some of them or incorporating them in new investigations. Urbancic encouraged Turkey to work with a Belgian team formed to investigate the 1996 Sabanci murder case on criminal grounds (rather than terrorism grounds), noting it would set a positive precedent and strengthen cooperation. Guven replied that it was a "pure terrorism case," skeptically adding, "we'll see" if the Belgians really pursue it.

EU MEMBERS NOT FULLY IN THE FIGHT

18. (C) Turkey has an image problem in Europe for historical reasons, Urbancic noted, and so it was particularly important to find something to tarnish the PKK's popular public image. Guven retorted Turkey has no "image problem;" Europeans have a "mentality problem." Turkey is doing its part to implement UNSCR 1373 and 1624, he said, but Europeans have failed to comply fully with UNSC resolutions on fighting terrorists. Belgian explanation that the court's ruling on the DHKP-C was due to the application of the old law (instead of the new, as-yet untested law) was "nonsense," in view of Belgium's commitments under UNSCR 1373. He complained European officials don't share important information with the GOT or

with each other that could tighten the net around terrorists.
Urbancic agreed more information sharing was needed.

¶9. (C) MFA Department Head for Security Affairs (and PKK point person) Ceren Etiz argued that if the Europeans would share information about drug trafficking cases, Turkey could advise them if the defendants had been prosecuted for terrorist crimes. Both Turkish and U.S. officials noted that the problem of insufficient communication is compounded by multiple channels/ministries, which may contribute to messages going astray. Guven acknowledged that working-level European officials understand the PKK problem, but complained they do not get the "right" instructions from political authorities. In France, he claimed, the MOI issued orders to ignore Interpol notices initiated by Turkey.

¶10. (C) Turning to the PKK's request before the European Court of Justice to annul the 2002 PKK terrorist designation, Guven said it would be a "disaster" if the court granted the request. He asked for USG help in explaining that annulling the 2002 designation would be a "big blow to all our efforts to fight terrorism," even if later designations remain valid. Urbancic pointed out the USG has no role in the court's deliberations but noted he had discussed the case during his European meetings.

IRAQIS NEED TO DO MORE

¶11. (C) After thanking the USG for increased intelligence sharing on PKK activities in northern Iraq, Guven shared the GOT is waiting for more decisive action by Iraqi authorities. The PKK is still operating in northern Iraq; the flow of money, material and people continues. "It's time for the Iraqis to end these activities," he stated. When Urbancic urged direct talks between Turkey and Iraq, Guven noted momentum within "regional authorities." They had done a lot

but need to do more. Turkey plans to continue talks which MFA holds weekly in Istanbul with its counterparts (NFI). Guven closed the discussion by asking for a response to Turkey's earlier request for information on captured U.S. weapons that been used in PKK attacks. Etiz added that Turkey had seen related press reports but had not received a response through official channels.

FOREIGN FIGHTERS

¶12. (C) Urbancic stressed the USG needs GOT help in tracking foreign fighters transiting Turkey into Syria and Iraq. He explained a successful September 2007 raid on Al-Qaida in Iraq (AQI) facilities netted information that Moroccans and Tunisians in particular use Istanbul airport and land routes through Turkey. He urged the GOT to heighten scrutiny of such travelers and asked Turkey to watch the Syrian border more closely and share information developed there. He also encouraged the government to review terrorism legislation that constrains prosecutors from pursuing cases involving activities outside of Turkey. Separately, Urbancic described the U.S. Passenger Name Record program as an effective method to strengthen border controls that is also sensitive to privacy issues. The U.S. is already working to include the EU in the program. USG experts would be happy to discuss the program in greater detail with Turkey, he said. Guven acknowledged Moroccans, Tunisians and Pakistanis do not need visas to enter Turkey and agreed to look for opportunities to tighten up foreign fighter flows. "When the subject is fighting terrorism," Guven said, "we are always serious."

Comment

¶13. (C) While acknowledging progress at the working level, Guven remains skeptical of many European efforts to address the PKK. Lack of mutual trust continues. A large part of the problem is poor communication, both between Turkey and the European countries, among the European countries and, apparently, among agencies within the countries themselves, including Turkey. To get beyond a "dialogue of the deaf," we should maintain the momentum we've gained by continuing to

facilitate communication between Turkey and the Europeans through frequent contact and events like the upcoming roundtable on extradition.

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